

Coram: S.K.KESHOTE,J
(August 7, 1995)

ORAL ORDER:

On 15th July, 1995 arguments of the petitioner were heard in part in this case and today the matter is listed for completion of arguments. None present for the petitioner to complete arguments.

2. Perused the record. This writ petition has arisen out of a civil suit filed by respondent No.1. The suit has been filed in the City Civil Court at Ahmedabad. After coming into force of the Recovery of Debts due to Banks and Financial Institutions Act, 1993 the City Civil Court, Ahmedabad, ordered for the transfer of the suit to the Debt Recovery Tribunal, Ahmedabad Bench, Ahmedabad. This writ petition has been filed by the petitioner challenging the administrative order and transfer notice published on the notice board of City Civil Court, Ahmedabad, transferring the case to the Tribunal. The civil suit has been instituted under the provisions of the Code of Civil Procedure, 1908, and adequate remedies are provided therein against the orders which are being passed by the civil court. Hence the writ petition is dismissed. However, it is open to the petitioners to resort to appropriate remedy available to them under the provisions of the Code of Civil Procedure, 1908.

August 7, 1995 (S.K. KESHOTE,J)